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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 MARQUES AVONTA BUTLER,

16 Defendant,

17 Case No.: 2:17-cr-00167-JAD-NJK

18 **STIPULATION TO CONTINUE
19 REVOCATION DATE**

20 (First Request)

21 IT IS HEREBY STIPULATED AND AGREED by and between JASON M. FRIERSON,
22 United States Attorney, and ALLISON REESE, Assistant United States Attorney, counsel for
23 the United States of America, and TODD M. LEVENTHAL, ESQ., counsel for MARQUES
24 AVONTA BUTLER that the Revocation date scheduled for March 20, 2023, at the hour of 3:00
25 p.m. be vacated, and set to a date and time convenient to this Court, but not sooner than ninety
26 (90) days.

27 The Stipulation is entered into for the following reasons:

- 28 1. The defendant is out of custody and does not object to the continuance.
29 2. Mr. Leventhal has spoken to Ms. Reese, Assistant United States Attorney and
30 both parties agree to the continuance.
31 3. The requested time is not for purposes of delay, but merely to allow counsel for
32 defendant sufficient time within which to be able to effectively and complete presentencing
33 issues related to the final revocation hearing.

1 This is the First stipulation to continue the Revocation date.
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4 DATED: MARCH 15, 2023
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7 Submitted By: LEVENTHAL & ASSOCIATES, PLLC
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10 By /s/ Todd M Leventhal
11 TODD M. LEVENTHAL
12 Counsel for Marques Avonta Butler
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By /s/ Allison Reese
ALLISON REESE
Assistant United States Attorney

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
MARQUES AVONTA BUTLER,
Defendant.

Case No.: 2:17-cr-00167-JAD-NJK

**FINDING OF FACT, CONCLUSION OF
LAW, AND ORDER**
(First Request)

FINDINGS OF FACT

Based on the pending stipulation of counsel, and good cause appearing therefore, the

Court finds that:

1. The defendant is in custody and does not object to the continuance.
 2. Mr. Leventhal has spoken to Ms. Reese, Assistant United States Attorney and both parties agree to the continuance.
 3. The requested time is not for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and complete presentencing issues related to the final revocation hearing.

CONCLUSIONS OF LAW

The ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial because the failure to grant it would likely result in a miscarriage of justice. This continuance is excludable under the Speedy Trial Act, Title 18 U.S.C. § 3161 (h)(7)(A) based on the factors outlined in §161(h)(7)(B)(i), (iv).

ORDER

IT IS FURTHER ORDERED that the sentencing currently scheduled for March 20, 2023 at the hour of 3:00 p.m., is vacated and continued to June 26, 2023, at 10:00 a.m.

DATED: March 17, 2023.

BY: 
UNITED STATES DISTRICT JUDGE